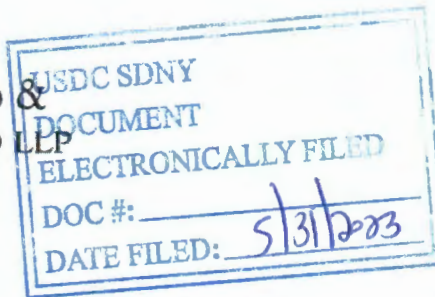


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MEMO ENCLOSED

VIA ECF

Honorable Colleen McMahon, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

May 25, 2023

5/30/2023
 The conference is cancelled. If you must serve your petition again as per my default judgment mls.

Re: Drywall Tapers and Pointers of Greater New York Local Union 1974, et al. v. Drywall & Acoustics of Northeast Inc.Case No.: 23-cv-01918 (CM)

Dear Judge McMahon,

This firm represents Petitioners Drywall Tapers and Pointers of Greater New York Local Union 1974, et al. in the above referenced matter. On March 6, 2023, Petitioners filed an application to confirm an arbitration award and supporting papers [ECF Nos. 1-5], and on March 9, 2023, Respondent Drywall & Acoustics of Northeast Inc. was served with a copy of the petition and supporting papers [ECF No. 9]. On April 25, 2023, Petitioners filed a motion for summary judgment and supporting papers [ECF Nos. 10-15], and on April 26, 2023, Respondent Drywall & Acoustics of Northeast Inc. was served with a copy of the motion and supporting papers [ECF No. 16]. To date, Respondent has failed to enter an appearance in this matter, nor has submitted a response to the petition or to the motion for summary judgment. Proceedings to confirm an arbitration award must be "treated as akin to a motion for summary judgment." *D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 108 (2d Cir. 2006). Based on the foregoing, Petitioners respectfully request that the scheduled June 15th Rule (16) conference [ECF No. 17] be adjourned *sine die*, and that the Court set forth an Order and Judgment based upon Petitioners' application to confirm the arbitration award [ECF Nos. 1-5]; and motion for summary judgment and supporting papers [ECF Nos. 10-15].

I appreciate your time and attention to this matter. Thank you.

Respectfully yours,

/s/ Lauren M. Kugielska
Lauren M. Kugielska